JUDGE WARD AIMS A BLOW AT FEDERAL JOHN DOEING.

New Subportes Issued and No Appeal Will Be Taken in the Present Case Not Lawful to Summen Persons Who May Be Accused to Testify Blindly.

A decision which will have the effect of changing the manner of procedure heretofore followed in many investigations conducted before Federal Grand duries was rendered yesterday by Judge Ward in the United States Circuit Court. who held that the form of subposnas originally served upon five employees f the World in the investigation into that newspaper's Panama story were

Judge Ward's decision in effect is a blow at John Doe proceedings, as they are commonly called, before Federal Grand Juries, though of course it does not apply to such proceedings before county Grand Juries. Judge Ward holds that witnesses must be informed of the names of the parties in respect to whom they are to be called upon to testify and that the inquisitorial powers of a Grand Jury and a District Attorney do not give them the right to summon persons to testify generally without indicating who a defendant is or what the investigation is

The decision of Judge Ward while of great importance will not affect the present investigation in the World's case, because since the argument before Judge Ward on the validity of the original subpœnas new subpœnas have been issued showing the defendant to be the Press Publishing Company "and others."

The issuing of these new subpornas precludes the District Attorney from appealing from the court's decision in the present case. It was stated at the office of the Federal District Attorney. however, that in order to have the higher of subpoens, declared illegal by the Circuit Court would be followed in the next case in which it was deemed necessary, and that on a refusal to obey such a subpæna, based on the decision of vesterday, the case would be appealed to the Supreme Court

When the Government started out to investigate the World's Panama story it did not for some reason care to name the defendant. The subpænas simply called upon the witnesses to appear before the Grand Jury "to testify all and everything which you may know generally on the part of the said United States." The printed form of the subporna used the words "to give evidence in a certain cause now defending in the said court Letween the United States of America and -- " the name of the defendant being inserted usually after the word "and." In the subposnas in question all of this was crossed out and the word "generally"

In the argument before Judge Ward on the validity of these subposnas it was deform of subpœna had been in use for fifty years. He made the point that it was necessary because in such cases the persons responsible for the crime which appeared to have been committed were not known at the start of the proceedings. While John Doe was not used to characterize the unknown defendant. Mr Stimson said that the proceedings were exactly the same as the so-called John Doe investigations before county trand Juries. clared by the District Attorney that this

frand Juries.

The decision remarks upon the absence of any statutory form of subposna in the Federal law, but says that where economy is required, sections 877 and 828 of the Revised Statutes do give authority to reduce in some cases the of any statutory form of subpona in the Federal law, but says that where economy is required, sections 877 and 829 of the Revised Statutes do give authority to include in some cases the names of any witnesses summoned to attend and testify generally either before a grand or petit jury. The Court however, that the form used in district indicates at least a general intention "that a witness shall be in-formed of the matter about which he will be called to testify." and adds: "I will be called to testify." and adds: "I think it is proper that he should be."
The Supreme Court, the decision says, has held that the Fifth Amendment, providing that no one should be compelled to testify against himself in criminal proceedings, applied not only to a case against a witness himself but to any criminal investigation. The decision says:

It is quite clear that the ordinary citizen alled upon to testify in the strange en-Attorney will be quite unable to assert his te ought to have an opportunity to conent of his right to refuse to testify and the way in which to protect himself against giving testimony that might incriminate

The decision takes up the contention of the District Attorney that secrecy was often required for the success of an inquiry, and witnesses could safely assume that neither the Grand Jury nor the District Attorney would do anything unfair or oppressive. On this point it says:

It would also contribute greatly to the cess and celerity of some investigations the authorities had an unlimited righ o search and seize persons, houses and papers, but the right of the citizen against h proceedings is not left to depend upon any such presumption. He is guaranteed gainst unreasonable searches and seizures the Fourth Amendment to the Con-So it would unquestionable speed the detection and conviction of crime compel suspected persons to testify. han that this cannot be done. The substatutes, to regulate the use of it. It is not a question of the nature of the parthe Grand Jury nor of the fairness of the present United States Attorney and his for He Assistants and of the present Grand Jury, e to be followed in this district in ages by all United States Attorney and rand Juries, a matter concededly of

In cases where the defendant cannot he named, says the Court, the subject of the inquiry nevertheless can be stated, and it is possible to fix some definition limit to the examination to which the witness may be subjected. The Court also says that in Hale vs. Henkel the Suretine Court held that while it was not crossary to disclose the nature of the quiry it was necessary that witnesses and be informed of the persons about hom they had to testify.

should be informed of the persons about whom they had to testify."
It is alleged," says the Court, 'that these general or John Doe subpænas have been issued in this district for many ars. If so they seem never to have

In regard to the subpœna duces tecum served upon J. Angus Shaw, secretary of the Press Publishing Company, calling upon him to produce articles relating to the Panama Canal appearing in the World, the Court says that this incidental reference to the papers required is not sufficient and ordered this subpœna set aside with the others.

There was no testimony before the Grand Jury yesterday in the World case. The investigation will be resumed on Monday. Bradford Merrill of the New York American had a talk with Assistant District Attorney Wise yesterday. It was rumored that he would be a witness Monday, presumably to testify as to an investigation that paper made of a story similar to that published by the World.

Josaph Pulitzer, the proprietor of the World, is expected to arrive here in a day

"WORLD" SUBPORNAS VOID or two. He was at Matanzas, Cuba, when the Government investigation began and left immediately for New York on his yacht, on which he had just started out

THE ATTACK ON THE PRESS. Filman's Opinion of the Result of Boose

velt's label Saits if Successful WASHINGTON, Jan. 22.-A New York newspaper that has been threatened by the President with an action for criminal libel wired Senator Tillman to-day as fol-

"Should the Government succeed in establishing a precedent for the prosecution of newspapers in the present suit, what in your estimation would be the resulting danger to the freedom of the press, to public liberty, freedom of elections and the possibility of maintaining a vigorous opposition to the dominant

In reply Senator Tillman gave out the

"The issue is a momentous one and no patriot can contemplate the possibility of the President's success in these suits without great alarm. Jefferson declared that 'as between a government without newspapers and newspapers without a government he would choose the latter; because when properly informed the people would protect themselves, even without a government, through the instrumentality of public opinion. A free press can alone preserve free institutions. Our great danger now lies in the control of the press and its consequent subserviency to those who use it to deserve the people and perpetuate their grasp upon power. The American people cannot guard too jealously the right of freedom of speech and freedom to print whatever is in the public interest. The three newspapers now under fire for their efforts to expose corruption in high places should have the active support of every true American, for their cause is the cause of

BOB EVANS'S STORY OF BATTLE. Jame Admiral Sits While Telling Brook-

lyn Audience of the Santiago Scrap. Rear Admiral Robley D. Evans visited court pass on the question the old form Brooklyn last night and received a lively welcome. He was at the Academy of Music under the auspices of the Navy League of the United States and told of the battle of Santiago and the tiestruction of Admiral Cervera's fleet. He talked. sitting the while, in a straightforward, matter of fact way, giving each listener the impression that he was holding a tete-a-tete with the fighter and receiving a fireside account of the great fight.

There was great applause when "Fighting Bob" hobbled on crutches to his seat in the centre of the big stage. He made two apologies, one for being late, which he attributed to Brooklyn mud, and the other for being obliged to sit while talking. Then he launched into his story in the rough and ready fashion that he went

that the navy was not prepared when the war broke out by saying that it was pre-pared and that it was owing to Admiral Bunce's persistent target practice, which was also severely criticised at the time, that "we did the Spaniards up in so short a time when we finally got at them."

There was not much to the navy when hostilities began, he admitted, but it was

He closed his lecture with a fervid

SIX YEAR TOUR BY AUTO. Mr. and Mrs. Hover Expect to Travel

105,000 Miles in Foreign Lands. Mr. and Mrs. H. A. Hover, who sailed yesterday aboard the White Star liner Republic, took with them a 30 horse-power Republic, took with them a 30 horse-power Maxwell automobile with which they will make a tour of Europe, Asia and Africa lasting six years. Mr. Hover is his own chauffeur. He is from Spokane and an enthusiast on automobiling. He will land at Algiers and spend three information and suggested that nothing should be done until Mr. Foraker, who was in the capitol building, appeared months trying to find all the places that intrusted to the personal cureding of the information. and an enthusiast on automobiling. He will land at Algiers and spend three months trying to find all the places that have been unvisited and incidentally going to all those that are known to most autoists. He expects to do about 105,000 miles in all before he starts back to

TALLER FIREMEN. Minimum Height for Croker's Men Raised

ALBANY, Jan. 22.-The physical quirements for firemen in the New York department were amended to-day by the State Civil Service Commission so as to make the minimum height necessary for make the minimum height necessary for applicants 5 feet 8 inches and weight 140 pounds. This increases the height by an inch and the weight by five pounds. The commission also placed in the competitive class a new position, that of chief in charge of the marine division, New York Fire Department. This position requires a licensed pitot who is to have charge of the firehoat. have charge of the fireboat.

Only One Liner Leaves To-day, The Atlantic Transport liner Minnehaba is the only ocean crossing passenger but no principle of our law is better settled and mail carrying steamship that leaves this port to-day for the other side of the pena being the court's writ, it is the duty Atlantic. She has all the European mail of the court, consistently with the existing that has accumulated here since Thursday morning, consisting of more than icular subject now under consideration 2,000 sacks. The Hamburg-American liner Brasilia, also a mail boat and bound for Hamburg, did not get in until Friday night and will not be able to sail to-day as originally scheduled.

The Weather.

The pressure was high in the Atlantic States and west to the Mississippi River yesterday, but it was generally unsettled in the Lake regions, Onio Valley and west portions of the middle Atover Montana which covered all of the West, Show fell in the vicinity of Lake Superior and rain elsewhere in the Lake regions, in the Obic alley and middle Mississippi Valley.

These was rain also in Utah and California. ... It was warmer in all parts of the country exept on the Pacific coast and in Idaho and Nevada The only freezing weather east of the Mis-sissippi was in the upper Lake regions and at a lew points in the mountain regions of Penn

light to fresh southwest to south; average hu The temperature yesterday, as recorded by the

Lowest temperature, 31", at 7:10 A. M. WASHINGTON PORECAST FOR TO DAY AND MORROW.

For eastern New York and New England, unsettled weather, with rain to-day and in northern portions to-morrow; moderate variable winds, For the District of Columbia, castern Penn sylvania. New Jersey, Delaware and Maryland. unsettled weather and warm, with probably

rain late to-day and to-morrow; moderate south For western New York, western Pennsylvania \$8,000,000 EMERGENCY FUND PRESIDENT SENDS TO SENATE

> As It Is Under the Seal of Confidence the Senate Considers It in "Secret Legislative Session"-Request That the Military Committee Only Examine It.

REPORT OF EXPENDITURES.

WASHINGTON, Jan. 22.-President Roosevelt created a stir among Senators to-day by sending to the Senate under seal of confidence information requested by that body in regard to expenditures made by the War Department from the \$3,000,000 emergency fund appropriated on March 3, 1899, for the purpose of enabling the Secretary of War to obtain military information. It was from this fund that the \$15,000 paid to Browne and Baldwin, the private detectives hired to get confessions from former negro soldiers who had been discharged from the Twenty-fifth Infantry "without honor" for alleged participation in or knowledge of the Brownsville affray, was dis-

Owing to the fact that the information was sent in confidence the Senate felt obliged to consider it in secret session, where a mild protest was raised by some Senators by a suggestion or a stipulation from Mr. Roosevelt that the report should be examined only by members of the Committee on Military Affairs as it pertains to military matters.

The resolution requesting a statement expenditures under the \$3,000,000 appropriation was presented by Senator Foraker. After its adoption a story wert the rounds that the President was unwilling to send the information desired to the Senate, but was willing that certain particular Senators should examine it privately.

It was said then that Senator Foraker was anxious to have a private peek at the disbursements under the fund, but that this did not meet with the approval of the Administration. However, if Mr. Roosevelt was disinclined to let the Senate have the information he experienced a change of mind, in part at least, as his action in transmitting the information eceived by the Senate to-day shows.

It was understood that the President's lisinclination in this regard was based on the contention that as much of the money paid out of the \$3,000,000 fund was used in getting secret military informa- it will be a pleasure to ride with him. tion as to conditions in foreign countries it would be incompatible with the public interest to furnicsh any details to the Senate and thus risk the chance of having them get to the foreign nations concerned through the newspapers by the publication of the Senate records.

Part of the money, it was said, was used making inquiries in Venezuela and Colombia, with a view, if this Government found it necessary, to send military forces to those countries, and it is understood that more of it was spent in getting cer-tain information that would be of value to the United States if it became involved in trouble with nations of greater military onsequence.
The consideration of the President's

report and the accompanying statement was given by the Senate in "secret legisla-tive session." which is distinguished from the frequent executive sessions held for the purpose of considering treaties and the nominations of Federal officers. The Senate had not expected the information to be sent in the form of a confidential

communication.

When the contents of his report became known some of the Administration Senators, notably Mr. Warren, who is chairman of the Committee on Military Affairs, and Mr. Lodge, who is a member of that committee, became very active among committee, became very active among their associates, apparently with the object of preventing any adverse action on the report. Senator Depew, who has lately shown a disposition to be a strong Administration man, assisted them.

That part of the President's report in which he asked that the financial statement in regard to the disbursement of the fund should be examined only by members of the Military Committee brought comment from many Senators, some of whom were inclined to believe that the entire Senate was entitled to

the information. who was in the capitol building, appeared in the Senate. Thereupon the report was intrusted to the personal custody of Charles G. Bennett, the Secretary of the Senate, who carried it to his office and locked it in the safe.

The objections made to confining knowledge of expenditures under the \$3,000,000 fund to members of the Military Committhe were voiced mildly, and it is probable that the Senate ultimately will permit the report to go to that committee for consideration. It was explained in the consideration. It was explained in the session this afternoon that there was a precedent for withholding such information. This precedent was the action of President McKinley in declining to comply with a Senate resolution requesting in-formation regarding the Paris treaty of 1898 which brought about peace between the United States and Spain.

No Senator saw the statement of dis-

bursements accompanying the President's report, as it was not opened in the Senate Chamber; but it is understood that several Administration Senators were permitted to examine it before it was transmitted to the Capitol. Several days ago it was understood that Presiden days ago it was understood that President Roosevelt was advising with some of his friends in the Senate as to whether he should send all or only part of the information desired, and it was said then that he was "sterilizing" the report to meet objections. As the report went to the Senate it did not contain the names of the persons who were employed in getting search information paid for out of the secret information paid for out of the \$3,000,000 fund, and much other im-portant information was omitted. Some of the President's friends in the Senate have refused to view the exhibit of dispursements because of its extremely conidential character.

In the debate in the Senate which followed the receipt of information from the Secretary of War that Browne and Baldwin, the private detectives, had been paid out of the fund, Senator Foraker paid out of the fund, Senator Foraker contended that the payments to them were illegal because contrary to a statute prohibiting the employment of private detectives and furthermore because such appropriations were made for a period onger than two years.

Wife Accuses Corporation Counsel Dixon

of Jersey City. TRENTON, N. J., Jan. 22.-By way of answer to her husband's suit for divorce Mrs. Eleanor Bentley Dixon, wife of Corporation Counsel Warren Dixon of Jersey City, filed a cross bill in the Court of Chancry to-day charging her husband with infidelity, naming three corespondents and asking that she be granted a divorce from him upon that ground. She denied the intimacy charged by her husband with Thomas A. Aiton, whom he named as co-respondent. She asked that she be awarded the custody of her four children.

Sees Family Physician for Allenation. PATERSON, N. J., Jan. 22.-A summons was served to-day on Dr. Victor E. Bullen in a suit for \$20,000 damages brought hy Oscar K. Inderlid for alleged aliena-tion of his wife's affections. Dr. Bullen was the family physician. Inderlid de-clares that his suspicions having been aroused be told his wife he was going off on a business trip for a week, but he re-mained about the house in hiding. His discoveries of that nicht archivers in hiding.

discoveries of that night are given as the

ROBBERS SHOOT TWO IN SLEIGH.

Paymaster and Woman Companion Wounded by Men Who Sought 86,000. Providence, Jan. 22.—Charles E. Randell, paymaster at the Glenlyon dye works in East Providence, and Miss Emma Dodge, daughter of the treasurer of the Glenlyon company, were shot by two highwaymen who attempted to hold them up in East Providence to-day. Mr. Randall had driven in a sleigh from the Glenlyon works to the Slater Trust Company in Pawtucket, where he drew \$1,000 for the payroll. Miss Dodge, who is employed in the mill office, joined him

in Pawtucket. Sergt. Patrick T. Harrigan of the East Providence police had, as usual, fol-lowed the sleigh from the Pawtucket line, but as Randall had driven repidly the officer was left behind. When within half a mile of the works Randall and his companion saw two men ahead carry-

companion saw two men anead carrying shotguns.

Supposing they were hunters, Randall gave them no thought, but when the sleigh was within fifty feet the men turned, raised their guns and fired at the occurants. The guns were loaded with shot and Randall's face was riddled. Miss Dodge was wounded in the arm. At the sound of the shots the horse bolted down the arrest. Randall clung to the reins

sound of the shots the horse bolted down the street. Randall clung to the reins and the animal dashed into Phillipsdale, taking the pair to safety.

Sergt. Harrigan, hearing the shots, hur-ried along, but saw no signs of the men, who made their way across the fields toward the Massachusetts line. They were described as foreigners and wore caps and short costs. caps and short coats.

Miss Dodge was only slightly hurt, but
Randall was taken to the Rhode Island Hospital in this city, where it is said that his condition is serious.

SCHOOL OF SURWAY FLOCUTION Conducted by the Interborough for the Education of Its Guards.

The Interborough company has es tablished a school to teach correct enupciation to its conductors and guards. If in the future you run across one of the men who tries to call the next station in a voice like a cracked phonograph. take his number and drop a line to Vice-President Frank Hedley of the Interborough company.

The next thing that will happen to quarters, and when the teachers get through with him he will be returned to his car with so well modulated a cadence and so clear an articulation that At least Mr. Hedley told the Public Service Commission yesterday something to that effect. It was in the course of

to that effect. It was in the course of another hearing by the commission on the complaints made by the New York Federation of Women's Clubs. Mr. Hedley was called as a witness. Some of the spokeswomen told the commission the difficulties they had met with in trying to keep track of the stations. Mr. Hedley readily admitted that there was constant. readily admitted that there was cause for the complaint, but, he added, the company was trying to improve.

Then he went on to explain that guards

who were found to be careless in calling out distinctly the names of stations were put through the new school. First of way the names of the stations, and then the instructors show him his errors. When they get through with him, according to what Mr. Hedley implied yesterday, he is equally qualified for the lecture platform or the car platform.

To the demand of the Federation of Women's Clubs that illuminated signs be placed in front of the first car of a train and that automatic indicators.

be pieced in front of the first cer of a train and that automatic indicators, showing the next station, be put inside every car, Mr. Hediey said his experience with indicators was that they were unreliable. Mr. Hedley added that the company was considering methods to comply with some of the demands of

Interstate Commerce Commission. Before the end of the month the Public Service Commission will issue a peremptory order directing the railroad companies on Staten Island to continue the curring scares of wer with Japan which selling of low rate tickets to school chil-occur simultaneously with the considdren. The companies urged that the Interstate Commerce Commission had ordered the Pennsylvania Railroad to abolish school rates on the ground that they were discriminating and that this yokohama while the nearest base of supplies is Hawaii, impregnable as Gibral-

President Knapp of the Interstate Commission sent to the Public Service Commission yesterday a copy of a letter which had been forwarded to Vice-President Rea of the Pennsylvania company.
Mr. Knapp denies that the Interstate
Commerce Commission opposed the selling of school tickets and intimates that some railroad companies had misrepresented the action of the commission. The commission. Mr. Knapp explains, found that the Pennsylvania company had been making student rates for a certain class of scholars and ordered that all scholars should have the advantage of the same rate, otherwise the company would be charged with discrimination.

It is on the strength of this letter that the Public Service Commission will issue a peremptory order against the Staten Island roads before the end of the month.

ANTI-RACETRACK BILL WINS. Poll of California Senate Gives It a Sure Majority.

SAN FRANCISCO, Jan. 22.-An official poll of the State Senate indicates that the anti-racetrack bill, which has passed the Assembly, will pass the upper house. The racetrack men are in a panic. Gov. Gillett to-day threw another bomb into their camp when he announced that he would sign any racetrack bill that reaches

The bill which passed the Assembly yesterday is precisely the same as the New York law now in force. Twenty-two votes are needed to pass the bill in the Senate and a poll taken to-night, according to friends of the bill, gave them 24 votes, with four more in doubt. Friends of racing have given up hope of preventing the passage of the bill and all their energies are now devoted to securing amendments which will mitigate

Chemist Commits Suicide.

IRVINGTON, N. J., Jan. 22. - Ernest R. Hoffman, who for nearly a year has been employed as chemist by the Glorieux Smelting and Refining Company, committed suicide to-day by swallowing cyanide of potassium at his boarding house, Mrs. Moritz Plaeschke's, at 131 Twenty-second street. He was found by Mrs. Plaeschke lying across the bad lifeless and fully dressed. Hoffman hed been drinking heavily and the only rea-son assigned for the act is remorse over his dissipation.

Army and Navy Orders.

Army and Navy Orders.

Washington, Jan. 22.—These army orders were saued to day:

First Lieut. James Kieran, Coast Artillery, to Thirty. fith Company.

Major John C. W. Brooks, Coast Artillery, to Omaha.

Presidio of San Francisco.

Capt. 'W. T. Wilder, Eleventh Infantry, to Omaha.

First Lieut. Wildurr Willing, Engineer Corps, to New York city.

Col. William M. Black, Engineer Corps, from Cuba to Washington, D. C.

The retirement of Col. David A. Lyle, Ordnance Department, is announced.

These navy orders were issued:

Capt. A. E. Culver, from Navy Department, Capt. A. E. Culver, from Navy Department, and ally months leave granted.

These navy orders were issued:
Capt. A. E. Culver, from Navy Department,
Washington, and six months leave granted.
Commander F. W. Keilogg, from New York
yard to command the Prairie.
Commander A. A. Ackerman, from command of
the Prairie to navy yard, Washington.
Commander T. D. Griffin, to office of the Assistant Secretary of the Navy, Washington.



FOR TWO BIG BATTLESHIPS

DVOCATES OF BIGGER NAVY WIN IN THE -HOUSE.

Motton to Strike Out the Provision in the Naval Bill Lost, 160 to 80-Mr. Cockran Votes for the Battleships Because of Possibility of War With Japan.

WASHINGTON, Jan. 22.-Advocates of a pigger navy won out in the House of Representatives to-day. The provision in the naval bill for the construction of two 26,000 ton battleships, which was only one, though the principal one, of the proposals for this year's contribution to the naval strength of the United States, was fought hard without avail. When t came to a vote the amendment to strike out the prevision for two battleships was defeated, 160 to 80. An effort to lessen the number to one battleship met with a little better reception. The vote on this was 158 to 108.

Mr. Tawney of Minnesota, chairman of the Committee on Appropriations, and Mr. Burton of Ohio, chairman of the Committee on Rivers and Harbors, were eaders in the attack on the battleship proposition, as they were in fact opposed to the exactions of the whole schedule for naval construction. They based their opposition on two grounds: First, that the finances of the country did not admit of the drain at this time, and, second, that man will be a summons to head- that the new ships were not needed, as the United States was at peace with the world and that continued peace was assured.

Both men made slighting references to the Japanese war scare, which they said was always started about the time that the naval appropriation bill came up Mr. Tawney said the country was getting tired of it. Mr. Finley of South Carolina made

the motion to cut out the two battleships. and when that went down so hard Mr. Burton made the motion for one ship only, as a sort of forlorn hope.

By an inadvertence the naval proto cost more than \$900,000 each. Mr. Knowland of California knocked this out all the guard is made to give in his own by raising a point of order against it, way the names of the stations, and then being impelled in his action by the cir-Island Navy Yard from getting any of the colliers to build. Otherwise the bill was accepted by the House as it came

from the naval committee. Mr. Bartholdt of Missouri, in apostle of peace and chairman of the Interparliamentary Unio i for Arbitration and Peace, said two more battleships were useless in view of the remote possibilities of war, and the expenditure at this time was censurable in view of the Government's diminished and insufficient receipts. The United States was at peace with the world, and it was time for the temporary suspension at least

Chairman Tawney of the Committee on Appropriations went on record as opposed to naval construction plans. "I am tired," he said, "of the annually re-

tar, 4,200 miles away, and that base in control of the United States."

control of the United States."

Mr. Bates of Pennsylvania interrupted:
"Does the gentleman believe that Hawaii
could be successfully defended unless we
had ships of equal efficiency to any that
may be brought against it?"

Mr. Tawney replied with another question: "If not why did the Taft board
recommend the plan of defence? And
why are we needlessly wasting money in
constructing the works if they will not
serve the purpose for which they were
intended?"

All that saids the fact that they

All that aside, the fact that there was no possibility of war with Japan, Mr. Tawney said, was a chief reason why this construction plan should not be adopted in the face of a deficit of \$125,-000,000 this year and one of \$143,000,000 next year. They were told that there was no money to expend for internal im-provements, 'yet, in order to whet an ambition to surpass other nations in shipbuilding we are called upon to expend \$24,000,000 for merely tentative purposes," Mr. Cockran of New York declared that

Mr. Cockran of New York declared that he was an apostle of peace, that he was opposed to the settlement of differences between nations by a resort to arms but at the same time he believed this nation should prepare itself for possible trouble with a Power in the far East. For that reason he favored two battleships as proposed in the naval bill. Mr. Cockran continued in a bellicose strain for some time before he mentioned Japan. time before he mentioned Japan.
"Suppose," said Mr. Cockran, "that

"Suppose," said Mr. Cockran, "that for some reason or other there should be an outburst of racial hostility in which Japanese in any number should be lynched on the Pacific Coast. Do you think that the Japanese in Tokio would allow that to pass without reprisals? If you do, you have never visited that country. Their pride of race is even greater than ours. We have other passions that sometimes may be compared with our patriotic impulses. We have hove of family, love of children, love of father, love of friends. They have but one, and that is love of country; one impulse, and that is the pride of race. Out-

one, and that is love of country; one impulse, and that is the pride of race. Outrage that and reprisals will follow."

Mr. Cockran suggested that Japanese lynchings in the United States would be followed by lynchings of high class Americans in Japan and the result, he thought, war hetween the would inevitably be war between Powers.
Col. Pete Hepburn of Iowa ridiculed

the statements of Mr. Tawney. H scouted as an insult to the American peo scouted as an insuit to the American peo-ple the assertion that the only reason for building the two battleships recommended was an ambition to excel other nations. The Americans, he said, were a warlike people. Every generation had had its war, and every generation had been found

rently with the appearance of the naval bill, which pass away with its disposition.

"Col. Hepburn has told us that every generation of Americans had had its war; that every generation would have its war. This is a wrong ruling of the lastory of 100 years. To-day there is



the dawn of a peace before unknown. Mr. Hepburn has said that the United States went into every war unprepared. Did we not emerge triumphant? [Applause.] To assail the United States would be always perilous. To strike out the battleship provision from this bill would be a declaration that we are at peace with the whole world and intend to remain at peace with the whole world and intend to remain at peace with the whole world "

THE FORTIFICATIONS BILL. It Carries a Total of \$7,920.111, or Ten

Millions Less Than the Estimate. Washington, Jan. 22.-The sum of \$7,920,111 is carried in a bill reported to the House to-day by the Committee on Appropriations for fortifications and other works of defence and for the procurement of heavy ordnance for the United States gramme was cut down a little by the ex- Army. The appropriation authorized is clusion of the item for four colliers not for the fiscal year 1910, beginning July 1 next. It is \$1,396,634 less than the amount made available for like purposes in the current fiscal year.

The policy of retrenchment adopted cumstance that the limit of cost put by Congress is strikingly shown in the upon construction shut out the Mare fortifications bill. The estimates ca'led for an appropriation a little in excess of \$17,000,000, whereas less than half that sum Senate Adopts a Resolution Making Feb. \$17,000,000, whereas less than half that sum is allowed. No provision is made for the purchase of balloons and airships, as urged by the Signal Corps of the army. Expenditures are subdivided as follows: For fortifications and other works of defence, \$2,204,719; armament of fortifications, \$2,300,000; for fortifications in insular possessions, \$2,280,492; for board of ordnance and fortifications, \$100,000. The sum of \$210,000 is made available to provide coverful searchilights for New

insular possessions, \$2,280,492; for board of ordnance and fortifications, \$100,000.

The sum of \$210,000 is made available to provide powerful searchlights for New York and other important harbors. For mountain, field and siege cannon \$600,000 is allowed, and \$475,000 is appropriate for alteration and maintenance of sea coast artillery.

Defences authorized in the insular of control of the co

Defences authorized in the possessions and the amounts made available for the purpose are as follows: Seacoast batteries, Hawaiian Islands, \$337,000; seacoast batteries, Philippines, \$1,000,000; seacoast guns, carriages, &c., \$547.00 ammunition for seacoast guns, \$500,000.

TO PROBE SUGAR TRUST.

Culberson's Resolution for an Investigation Adopted by the Senate. WASHINGTON, Jan. 22.-The Senate to-day adopted the following resolution proposed yesterday by Senator Culber-

son of Texas: That the Attorney-General be and he hereby directed to send to the Senate copies of all correspondence in the Department of Justice relating to an alleged violation of the act of July 2, 1890, by the Ameri-can Sugar Refining Company in connection with an alleged loan by that company to one Segal, in which was pledged as security therefor a majority of the capital stock of the Pennsylvania Sugar Refining Company, with voting power thereon, and under which it is alleged an agreement was entered into that the Pennsylvania Sugar Refining Company should not engage in business.

When the resolution was laid before the Senate to-day, coming over from yesterday, at which time Senator Kean objected to its consideration, the Senato from New Jersey asked whether a case was not pending in the courts involving the subject matter

the subject matter.

"The United States has brought no action," replied Mr. Culberson.

"But there is a case in the courts?" persisted Mr. Kean.

"I believe there is some private litigation," replied Mr. Culberson, "but the Attorney-General has taken no action.

There is some correspondence in the

There is some correspondence in the Department of Justice, including a com-plaint made by a citizen of Pennsylvania a long time ago, calling the attention of the Attorney-General to the fact that the law had been violated. This corre-spondence will disclose the attitude of the Government in the matter and tend the Government in the matter and tend to show why the Attorney-General re-fused to act. I think the Senate is en-titled to the facts."

The resolution was then adopted by a unanimous vote.

DOCTOR OFFENDS ROOSEVELT. Reed's Nomination as Surgeon in Medical Reserve Corps Withdrawn. WASHINGTON, Jan. 22.-President

Roosevelt has withdrawn the somination of Dr. Charles A. L. Reed of Cincinnati as Lieutenant and surgeon in the Medical Reserve Corps, which was sent to the Senate a few weeks ago. This action is the result of an interview given to the press in Washington by Dr.

Reed, who has been here attending a

meeting of the legislative committee of the American Medical Association.

The President sent the following com-munication to the Senate withdrawing the name: I withdraw the nomination of Charles Alfred Lee Reed of Ohio for appointment as a First Lieutenant in the Medical Reserve Corps, with rank from January 4,1909, which was submitted to the Senate on January &

New Commanders in the Philippines WASHINGTON, Jan. 22. - Brig. - Gen. Daniel H. Brush, commanding the De-partment of Columbia, has been ordered to the Philippines Division for assign

1909.

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LINCOLN'S BIRTHDAY.

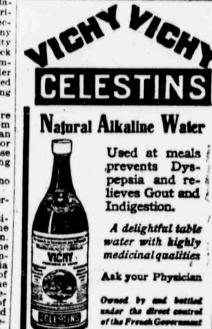
12 Next a Special Hollday. .

WASHINGTON, Jan. 22.—Resolutions providing for commemoration of the one hundredth anniversary of the birth of Abraham Lincoln and making February 12, 1909, a special national holiday to be

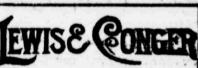
estimates of cost for a national highway from Washington to Gettysburg, to be known as "Lincoln Way." thousand dollars was authorized for making the survey and plans. Mr. Knox's amendment prevailed by a vote of 46 to 24.

Movements of Naval Vessels.

WASHINGTON, Jan. 22.-The supply ship Iris has arrived at Guam, the supply ship Glacier at Callao, the battleships Wisconsin, Illinois and Kearsarge at Algiers and the collier Cæsar at Norfolk. The cruisers West Virginia, Colorado, Maryland and Pennsylvania have sailed Maryland and Fennsylvania have Salled from Valparaiso for Callac; the supply ship Celtic from Palermo for Milazzo, Messina and Reggio, and the gunboat Scorpion from Constantinople for Smyrna.







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